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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SONYA RENEE *et al.*,

Plaintiffs,

v.

MARGARET SPELLINGS, in her official capacity;
UNITED STATES DEPARTMENT OF EDUCATION,
Defendants.

Case No. 07-04299 PJH

**DECLARATION OF N. DOE IN
SUPPORT OF MOTION FOR LEAVE
TO PROCEED USING FICTITIOUS
NAMES**

Time: 9AM

Date: January 30, 2008

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DECLARATION OF N. DOE

I, N. Doe, hereby declare:

1. The matters set forth herein are based upon my own personal knowledge, except where stated to be based upon information and belief, and if called to testify, I could and would do so competently as follows:

2. I submit this declaration in support of efforts to keep my identity confidential.

3. I am 27 years old. Both my daughter B. Doe and I are plaintiffs in this action. I have been identified as N. Doe and my daughter B. Doe, a student at Longwood Elementary School, has been identified as B. Doe. I serve as B. Doe's *guardian ad litem*.

4. I was born in Mexico. I moved to the United States to live here in Hayward, California in 2000 because there are better opportunities here in the United States than in Mexico, and my husband and I wanted our children to get ahead.

5. I now live in Hayward with my husband and my 2 children, ages 7 and 11. I am pregnant with my third child. My husband, two daughters and I do not have legal papers, but my new baby will be born in the United States and will be a US citizen. My biggest fears about having my identity known in this lawsuit are that I or members of my family would get deported and my children and I will be separated.

6. I joined this case as a plaintiff because it bothers me that my child's teacher is not fully certified. At the beginning of the school year, they transferred my daughter from a more experienced teacher to an intern teacher, who is not fully credentialed. I knew something was strange because my daughter's teacher worked in the school's office for many years, but now she is her teacher. A teacher's qualifications will determine how a child will progress academically. I joined this lawsuit because it will help my child and other children get qualified teachers, and children need qualified teachers to succeed academically.

7. I am scared that if my name were revealed in this lawsuit, I would be picked up by ICE and deported. Two months ago, my brother was arrested by the police, and the police called the immigration authorities right away. The police told my brother, "You have a choice of staying here but we'll be able

1 to come to your house any time of day and inspect your house for whatever reason, or we can call
2 immigration and deport you.” He chose to be deported, because he was afraid that by staying here with
3 the police watching him, the rest of his family would be arrested as well. At the time he was arrested,
4 my brother was living with me and my family. My brother is now back in Mexico. I miss him very
5 much, and I don’t know when I’ll ever see him again.

6 8. I’ve heard news reports of immigration raids nearby in San Leandro. During the raids, they
7 separate children from their parents. I’m scared this would happen to my family. My baby to be born
8 will be a citizen, but my other two children, my husband, and I don’t have papers. The husband of a
9 woman I work with was deported because ICE raided his work.

10 9. I have another friend whose husband was arrested yesterday by the police. When the police
11 fingerprinted him, it showed up that he had a deportation order and now they are going to deport him.
12 He has five children—including one that is five months old—and he was the one supporting the family
13 financially. I’m scared that the same thing could happen to me if my name were revealed in this lawsuit.
14 If my name becomes publicly associated with this lawsuit, my daughter’s teacher, principal, someone
15 from my work, or anyone else could call ICE to report me. In addition, my boss at work might fire me if
16 he learned about my involvement in this suit. I feel that anyone could report me at any time, and you
17 never know when it will happen or who it will be.

18 10. If I were deported to Mexico, I don’t know who would take care of my children or who
19 would support my family. It would be very difficult for my husband to support the children financially
20 and take care of them by himself. I would be devastated if I were separated from my children.

21 11. I feel that this lawsuit is very important to protect my daughters’ right to a quality public
22 education, but I worry about the terrible consequences that could happen if B. Doe’s and my true names
23 were revealed. That’s why I want to remain anonymous. I am not sure I will stay a part of this lawsuit
24 if I don’t get permission from the court to remain anonymous.

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1 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and
2 correct.

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4 Dated: December 21, 2007

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6 N. DOE
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INTERPRETER'S DECLARATION

Guillermo Mayer declares:

1. I am fluent in English and Spanish, and over the age of 18. I am not a party to this action.
2. I accurately interpreted the document entitled, "Declaration of N. Doe In Support of Plaintiffs' Motion for Leave to Proceed Using Fictitious Names" from English to Spanish for N. Doe.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: December 20, 2007



GUILLERMO MAYER